

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

DAN SILVER,

Plaintiff,

v.

TED KULONGOSKI; and the NATIONAL
REPUBLICAN PARTY,

Defendants.

03:10-cv-01241-AC

ORDER

Dan Silver
12231 SE Kelly St.
Portland, Oregon 97236

Pro Se Plaintiff

Marc Abrams
OREGON DEPARTMENT OF JUSTICE
1515 SW Fifth Avenue, Suite 410
Portland, Oregon 97201

Attorney for Defendant Ted Kulongoski

HERNANDEZ, District Judge:

Magistrate Judge John V. Acosta issued a Findings and Recommendation (“F&R”) (doc. #46) on September 6, 2012, recommending that the Motion to Dismiss (doc. #30) filed by Ted Kulongoski (“Defendant”) be granted and that this case be dismissed with prejudice and without leave to amend. The F&R also recommends that the Motion for Oral Hearing filed by Dan Silver (“Plaintiff”) (doc. #41) be denied.

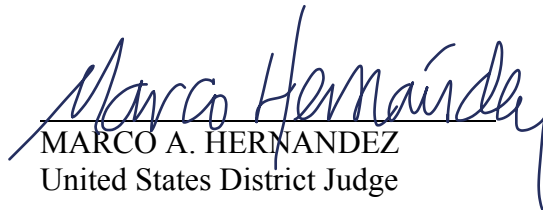
Because no objections to the F&R were timely filed, I am relieved of my obligation to review the record de novo. United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); see also United States v. Bernhardt, 840 F.2d 1441, 1444 (9th Cir. 1988) (de novo review required only for portions of Magistrate Judge’s report to which objections have been made). Having reviewed the legal principles de novo, I find no error.

CONCLUSION

The Court ADOPTS Magistrate Judge Acosta’s Findings and Recommendation (doc. #46). Accordingly, Defendant’s Motion to Dismiss (doc. #30) is GRANTED and this case is dismissed with prejudice and without leave to amend. Plaintiff’s Motion for Oral Hearing (doc. #41) is DENIED.

IT IS SO ORDERED.

DATED this 2 day of OCT, 2012.


MARCO A. HERNANDEZ
United States District Judge